

Wisconsin Wildlife Federation

Chairman Mursau, Members of the Assembly Natural Resources Committee, thank you for the opportunity to testify here today on behalf of the Wisconsin Wildlife Federation in strong support of Assembly Bill 301. The Federation is the largest organization representing hunters, anglers and trappers with over 170 hunting, fishing, trapping and forestry-related organizations.

The Pittman-Robertson Act has been in existence since the Depression of the 1930s. In the midst of the country's hardest economic times, hunters throughout the country strongly supported a 10% excise tax on their purchases of firearms and ammunitions to fund wildlife management, wildlife research, hunter education and shooting ranges. This money collected by the Federal Government is then distributed to the states in a formula that takes into account number of hunting licenses sold and size of the state. Wisconsin, being a strong hunting state, receives over \$10 million a year. The DNR then expends the funds for various projects.

Currently those expenditures are allocated by DNR without input from hunters and shooters, the Natural Resources Board or the Legislature. This lack of transparency has raised question by sportsmen and women about some of the expenditures. Because of this the Wisconsin Wildlife Federation is strongly supporting AB 301 and thank Representative Suder for his lead sponsorship.

However, this bill is only one-half of the equation. The U.S. Congress in 1950 adopted the Federal Aid in Sports Fish Restoration Act, also know as the Dingle-Johnson or Wallop-Breaux Act. This law which was strongly supported by sports anglers and boaters, put a similar 10% excise tax on sales of fishing tackle and 3% tax on watercraft. Such funds are to be used on fisheries research, fisheries management and public access to waterways. The formula for distribution of these funds is based on number of fishing licenses sold and amount of water acreage in a state. Because of the number of anglers and the amount of lakes and streams in the state, Wisconsin is allocated over \$9 million a year.

Once again, these expenditures are allocated by DNR without input from anglers and boaters, the Natural Resources Board or the Legislature. This lack of transparency has also raised question by sportsmen and women about some of the expenditures. The Wisconsin Wildlife Federation has asked Representative Suder to amend AB 301 to also require JFC review of these Sports Fish Restoration funds to allow sportsmen and women to have input in the decision-making.

Thank you very much for the opportunity to testify before you on this important bill.

October 10, 2011---Submitted by George Meyer, Executive Director, Wisconsin Wildlife Federation

AN EXPLANATION OF THE PITTMAN ROBERTSON FUNDS

provided by the:

NATIONAL RIFLE ASSOCIATION OF AMERICA
Range Development Department
11250 Waples Mill Road
Fairfax, Virginia 22030
(703) 267-1432

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The program was designed for wildlife restoration and hunter education and may be used for range development programs.

The intent of the act is to conserve and manage wild birds and mammals, and to enhance the safety, marksmanship and sportsmanship with firearms and bows and arrows. Therefore, in 1937 Congress enacted specific legislation to provide funds to states to carry out these programs. By law, (16 USCA 669a-i) the Interior Department is authorized to cooperate with the various states in wildlife restoration projects and hunter education, provided that the various states assent to the Federal provisions and pass laws for the conservation of wildlife, which will include a prohibition against the diversion of license fees paid by hunters for any purpose other than the administration of the State Fish and Game Department. (Sec. 669)

Wildlife restoration projects include the selection, restoration, rehabilitation and improvement of areas of land or water adaptable as feeding, resting or breeding places for wildlife. This includes acquisition, condemnation, lease or gift of such areas, constructions on land or water, to make them available for the purpose specified, including research into problems of wildlife management as may be necessary for the efficient administration affecting wildlife resources. (Sec. 669a)

The monies to be used in this assistance is the excise tax of 11% on bows and arrows and parts and accessories, and the excise tax of 10% on pistols and revolvers and the 11% on firearms, other than pistols and revolvers, and shells and cartridges. Any monies appropriated to any state by the Interior Department, must be used in two years and if not used, reverts to the Interior Department to carry out the provision of the Migratory Bird Conservation Act. (Sec. 669b)

A sum, not to exceed 8% of the total fund, may be deducted for administration of the program by the Interior Department. Funds are made available to the states on the following manner:

State population vs National Population

State hunting licenses vs National hunting licenses sold

State land mass vs National land mass

The apportionments are adjusted equitably so that no state shall receive less than 1 percent nor more than 3 percent of the total. The fiscal year under these programs runs from October 1 through September 30 of the following year, except that the period for enumeration of the paid hunting license holder shall be the state fiscal or license year. (Sec. 669c(a))

The other proviso on funding provides that 1/2 of the revenue accruing to the fund from the tax imposed upon pistols and revolvers, bows and arrows shall be apportioned among the states in a proportion to the ratio that the population of each state bears, to the population of all states, provided that each state shall be apportioned not more than 3% nor less than 1% of such revenue. Population here is determined by the most recent census. This portion may be used by any state to pay up to 75% of the cost of a hunter safety program including the construction, operation, and maintenance of public target ranges as a part of such a program. The non-Federal share of such costs may be derived from license fees paid by hunters, but not from other Federal grants or programs. (Sec.669c(b))

To avail itself to its share of the portion of this fund, a state may do one of two things:

(1) A plan for at least five years must be developed by the State Fish and Wildlife Department, which will ensure the perpetuation of these resources for the economic, scientific and recreational enrichment of the people of that state, based upon the desires and needs of the people for a period of not less than 15 years. Provisions must be included for updating at intervals of not more than 3 years. If the plan conforms to standards established by the Interior Department and are approved, 75% of the cost of implementing may be paid from funds apportioned on the approval of the annual agreement.

(2) A state may elect to avail itself to the benefits of this fund through the Fish and Game Department submitting a detailed statement of a wildlife restoration project proposed by the state. If the project is approved by the Interior, so much of the fund that represents the state's share will be set aside for the project. The sum so set aside cannot exceed 75% of the total estimated cost. Administrative costs of the state by law cannot exceed 3% of the annual apportionment to the state. This administrative cost limitation is for the state agencies other than the Fish and Wildlife Agency of that state. (Sec. 669e)

The Secretary's authority under Chapter 5B of the Title 16 of the United States Code has been completely decentralized to regional offices, through which the states apply.

Under the above laws the selection, planning, and execution of wildlife restoration projects, and of hunter safety programs including the construction, operation and maintenance of target ranges, are the responsibility of the State Fish and Game Department. The funds are not directly available to individuals, local governments, or sportsmen's organizations; however, State Fish and Game Departments may enter into a third party agreement with a club or even a commercial range to conduct hunter training programs, including the construction or improvements of the target range facilities being used. There are various alternatives for providing the 25% of the total cost not reimbursed Federally, including the recognition of contributions provided "in kind", such as land, building materials and equipment, but not labor.

The basic requirements for target ranges to qualify under these laws are safety, public accessibility, and their use in the State's Hunter Training Program. Impact areas, backstops, safety zones, berms, and baffles may be required to maximize safety of a range. Proper supervision and adequately posted and enforced regulations must be maintained to insure the safety of users.

The contact to obtain monies under these programs is the Hunter Safety Coordinator who is headquartered in your state capitol.

Since 1937 over 1 billion dollars has been collected through the Pittman- Robertson Act and in many states very aggressive range building programs are ongoing. Sizable amounts of monies apportioned to states are generated by the purchase of firearms, ammunition, bows and arrows resulting from excise tax